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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: ROBERT MARTINEZ

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

THE FOLLOWING ALLEGATIONS DATED 01/29/2011 ARISING FROM CCRB CASE # 201101407 WERE SUBSTANTIATED AGAINST MOS MARTINEZ:

ALLEGATIONS:

1. MOS MARTINEZ, WHILE ASSIGNED TO 75TH PRECINCT, ON 01/29/2011 FAILED TO MAKE ACTIVITY LOG ENTRIES REGARDING AN ENCOUNTER WHICH OCCURRED AT THE TIME, DATE AND LOCATION.
2. MOS MARTINEZ, FAILED TO PREPARE A UF-250 REGARDING AN ENCOUNTER WHICH OCCURRED AT THE TIME, DATE AND LOCATION

CASE STATUS: CLOSED ON 7/24/2012.

PENALTY: FORFEITURE OF ONE (1) VACATION DAY AND B CD ISSUED.

Disclosure # 2:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS DATED 11/22/2013 AGAINST MOS MARTINEZ:

ALLEGATIONS:

1. MEMOBOOK INCOMPLETE/IMPROPER
2. OTHER DEPARTMENT RULES/PROCEDURES VIOLATION

PENALTY: B CD ISSUED

Disclosure # 3:

MOS MARTINEZ IS A NAMED DEFENDANT IN THE FOLLOWING CIVIL ACTION:

1. RADU FLOWERS V. CITY OF NEW YORK, ET AL, 5131/2013 FILED IN IN KINGS COUNTY SUPREME COURT.

Disclosure # 4:

MOS MARTINEZ WAS ADJUDICATED GUILTY AFTER DEPARTMENTAL TRIAL OF THE FOLLOWING DEPARTMENT CHARGES AND SPECIFICATIONS ARISING OUT OF AN INCIDENT ON OR ABOUT 10/16/2013:

ALLEGATION:

1. MOS MARTINEZ, AT APPROXIMATELY 0358 HOURS, WHILE ASSIGNED TO THE 75TH PRECINCT AND ON DUTY AT A LOCATION KNOWN TO THE DEPARTMENT, WRONGFULLY USED FORCE IN THAT SAID MOS

PUNCHED AN INDIVIDUAL KNOWN TO THE DEPARTMENT IN THE FACE AND STEPPED ON SAID INDIVIDUAL'S HEAD.

CASE STATUS: CLOSED ON 2/18/2016.

PENALTY: FORFEITURE OF TEN (10) VACATION DAYS.

Disclosure # 5:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS DATED 11/28/2015 AGAINST MOS MARTINEZ:

ALLEGATIONS:

1. MOS MARTINEZ IMPROPERLY STOPPED AN INDIVIDUAL IN VIOLATION OF PATROL GUIDE PROCEDURE.
2. MOS MARTINEZ IMPROPERLY FRISKED AN INDIVIDUAL IN VIOLATION OF PATROL GUIDE PROCEDURE.
3. MOS MARTINEZ IMPROPERLY SEARCHED AN INDIVIDUAL IN VIOLATION OF PATROL GUIDE PROCEDURE.
4. MOS MARTINEZ FAILED TO ENSURE A STOP REPORT WAS PREPARED, IN VIOLATION OF PATROL GUIDE PROCEDURE.
5. MOS MARTINEZ FAILED TO PREPARE A MEMO BOOK ENTRY IN VIOLATION OF PATROL GUIDE PROCEDURE.

CASE STATUS: 05/16/2017.

PENALTY: FORFEITURE OF ONE (1) VACATION DAYS AND B CD ISSUED.

Disclosure # 6:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS DATED 12/10/2016 AGAINST MOS MARTINEZ:

ALLEGATIONS:

1. MOS MARTINEZ, WHILE ASSIGNED TO THE 75TH PRECINCT, IMPROPERLY FRISKED AN INDIVIDUAL KNOWN TO THE DEPARTMENT AT THE TIME, DATE, AND LOCATION ABOVE.
2. MOS MARTINEZ, WHILE ASSIGNED TO THE 75TH PRECINCT, SPOKE DISCOURTEOUSLY TO SAID INDIVIDUAL AT THE TIME, DATE, AND LOCATION ABOVE.
3. MOS MARTINEZ, WHILE ASSIGNED TO THE 75TH PRECINCT, IMPROPERLY SEARCHED A VEHICLE AT THE TIME, DATE, AND LOCATION ABOVE.

CASE STATUS: 06/07/2018.

PENALTY: WARNED AND ADMONISHED, AND B CD ISSUED.

Disclosure # 7:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION DATED 05/18/2018 AGAINST MOS MARTINEZ:

ALLEGATION:

1. OTHER DEPT RULES/PROCEDURES VIOLATION.

CASE STATUS: CLOSED ON 04/15/2019.

Disclosure # 8:

The People are aware of the following federal civil rights action(s) and/or state tort civil lawsuit(s) in which the indicated officer has been named as an individual defendant. Note, the disposition information may not be current:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Dominick Paige, Sr., et al.	507061/2019	Kings Co. Sup. Ct.	5-13-19		<i>Pending, next on 08/11/2020</i>
Davi Watters	502965/2019	Sup. Ct., Kings Cty.	2-11-19	-	<i>Pending, next on 03/05/2020</i>
Christopher Ford	525100/2017	Sup. Ct., Kings	12-30-17		Pending?

		Cty.			
Dasheen Kemp, et al.	17-CV-5667	E.D.N.Y.	9-28-17	6-21-18	Settlement, without admission of fault or liability
Terrence Zeigler	17-CV-4639	E.D.N.Y.	8-7-17	3-13-9	Dismissed by Plaintiff, via Fed. R. Civ. P. 41(a)(2), with prejudice and without fees or costs
Omar McFarland	17-CV-4184	E.D.N.Y.	7-17-17	4-6-18	Settlement, without admission of fault or liability
Justin McClarin	16-CV-6846	E.D.N.Y.	12-12-16	-	Pending, defendants filed motion for summary judgment
Justin Martinez, et al.	16-CV-2460	E.D.N.Y.	5-13-16	5-20-19	Settlement, without admission of fault or liability
Gregory Assan	507175/2016	Sup. Ct., Kings Cty.	5-3-16	10-19-17	Ordered that Defendants' motion to dismiss is granted, suit dismissed in entirety
Desmon Goins	15-CV-7105	E.D.N.Y.	12-14-15	11-27-17	Settlement, without admission of fault or liability
Aaron Stroman	15-CV-231	E.D.N.Y.	1-15-15	2-19-16	Judgment for the plaintiff, pursuant to Fed. R. Civ. P. 68, without admission of liability or damages
J.C., &c.	14-CV-7292	E.D.N.Y.	12-15-14	12-9-15	Settlement, without admission of fault or liability
Threstan Ralph, et al.	14-CV-4668	E.D.N.Y.	8-3-14	8-25-15	Settlement, without admission of fault or liability
Unique Allen, et al.	14-CV-3204	E.D.N.Y.	5-22-14	12-17-14	Settlement, without admission of fault or liability
Neville Hurst**	13-CV-4517	E.D.N.Y.	8-9-13	1-17-14	Settlement without admission of fault or liability
Thomas Jordan*	07807/2013	Sup. Ct., Kings Cty.	7-9-13	9-23-13	Settlement
Skylar	12-CV-4392	E.D.N.Y.	9-4-12	7-8-13	Settlement without

Dupree, et al.**					admission of fault or liability
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*The complaint in the Jordan civil case was not available on either of the public state court websites, NYSCEF and WebCivil. Due to the normal practice of Corporation Counsel there is a high likelihood that the settlement was without admission of fault or liability, but this could not be confirmed with the minimal information available online.

**The defense bar's "Capstat" website attributes both the Hurst and the Dupree cases to Sgt. Robert Martinez. However, a review of both complaints lists the shield number 20291 for the Sgt. Robert Martinez named in those civil suits.

IN ADDITION, BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 9:

CCRB CASE: 200205713

REPORT DATE: 08/27/2002

INCIDENT DATE: 08/22/2002

CCRB SUBSTANTIATED ALLEGATION(S):

1. DISCOURTESY—WORD
ACTION TAKEN: A-CD ISSUED.

Disclosure # 10:

CCRB CASE: 200704280

REPORT DATE: 03/27/2007

INCIDENT DATE: 03/27/2007

CCRB SUBSTANTIATED ALLEGATION(S):

1. FORCE—PHYSICAL FORCE
2. ABUSE—THREAT OF FORCE (VERBAL OR PHYSICAL)
ACTION TAKEN: NO DISCIPLINARY ACTION

Disclosure # 11:

CCRB CASE: 201101407

REPORT DATE: 02/02/2011

INCIDENT DATE: 01/29/2011

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE—STOP
2. ABUSE—FRISK

OTHER MISCONDUCT NOTED:

1. OMN—FAILURE TO PREPARE A MEMOBOOK ENTRY—OM
ACTION TAKEN: B-CD ISSUED
2. OMN—FAILURE TO PRODUCE STOP AND FRISK REPORT—OM

Disclosure # 12:

CCRB CASE: 201107327

REPORT DATE: 06/06/2011

[REDACTED]
[REDACTED]
[REDACTED]

Disclosure # 13:

CCRB CASE: 201304136

REPORT DATE: 05/15/2013

[REDACTED]
[REDACTED]
[REDACTED]

Disclosure # 14:

CCRB CASE: 201310387

REPORT DATE: 11/04/2013

INCIDENT DATE: 10/16/2013

CCRB SUBSTANTIATED ALLEGATION(S):

1. Force—Physical Force
Action Taken: APU Guilty—loss of 10 Vac Days

Disclosure # 15:

CCRB CASE: 201305351

REPORT DATE: 06/02/2014

[REDACTED]
[REDACTED]
[REDACTED]

Disclosure # 16:

CCRB CASE: 201501913

REPORT DATE: 03/17/2015

[REDACTED]
[REDACTED]
[REDACTED]

Disclosure # 17:

CCRB CASE: 201505300

REPORT DATE: 06/26/2015

[REDACTED]
[REDACTED]
[REDACTED]

Disclosure # 18:

CCRB CASE: 201505331

REPORT DATE: 06/29/2015

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Disclosure # 19:

CCRB CASE: 201508658

REPORT DATE: 10/13/2015

INCIDENT DATE: 10/05/2015

CCRB SUBSTANTIATED ALLEGATION(S):

1. Discourtesy—Action
2. Discourtesy—Word

Disclosure # 20:

CCRB CASE: 201510169

REPORT DATE: 11/28/2015

INCIDENT DATE: 11/28/2015

CCRB SUBSTANTIATED ALLEGATION(S):

1. Abuse—Frisk
2. Abuse—Search (of person)
3. Abuse—Stop
NYPD Action: B-CD Issued.

OTHER MISCONDUCT NOTED:

1. OMN—Failure to Produce top and Frisk Report—OM
2. OMN—Failure to Produce Memobook Entry—OM
NYPD Action: B-CD Issued.

Disclosure # 21:

CCRB CASE: 201606105

REPORT DATE: 07/14/2016

INCIDENT DATE: 07/07/2016

CCRB SUBSTANTIATED ALLEGATION(S):

1. Abuse—Other
NYPD Action: No Action

OTHER MISCONDUCT NOTED:

1. OMN—Failure to Produce Stop and Frisk Report—OM
2. OMN—Failure to Prepare a Memobook Entry—OM
NYPD Action: No Action

Disclosure # 22:

CCRB CASE: 201606783

REPORT DATE: 08/08/2016

INCIDENT DATE: 07/31/2016

OTHER MISCONDUCT NOTED:

1. OMN—Other Misconduct
NYPD Action: Instructions

Disclosure # 23:

CCRB CASE: 201610287

REPORT DATE: 12/13/2016

INCIDENT DATE: 12/10/2016

CCRB SUBSTANTIATED ALLEGATION(S):

1. Discourtesy—Word
2. Abuse—Vehicle Search
3. Abuse—Interference With Recording
4. Abuse—Frisk
NYPD Action: B-CD Issued

Disclosure # 24:

CCRB CASE: 201907204

REPORT DATE: 08/14/2019

[REDACTED]

PENDING CCRB ALLEGATION(S):

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Disclosure # 25:

CCRB CASE: 201907780

REPORT DATE: 09/13/2019

[REDACTED]

PENDING CCRB ALLEGATION(S):

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Eric Gonzalez
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Kings County